

May 1, 1975

I am going to introduce it. I can't be expected to answer something when I haven't even read it but I do know that I wish this Legislature would learn one thing, that you can't hook law in this Legislature and delegate your authority of lawmaking to the federal government on rules and regulations for federal law and that's what you have consistently done and everytime I have..when I have told you about it, you did it anyhow so now you have an unconstitutional bill, the Governor has, at least. I didn't vote for the thing anyhow last year so I feel kind of clean on it.

SPEAKER: The Chair recognizes Senator Frank Lewis.

SENATOR F. LEWIS: Mr. Chairman, on receiving the opinion of the Attorney General, both Opinion 71 and opinion to Dr. Anne Campbell, Commissioner of Education, the most critical part of it was on the fact of the enforcement of the penalty. The Attorney General said that was not legal because it involved constitutional funds which the state could not withhold. That is the only question this bill entertains. I sent the Governor a letter explaining to him that 984 was introduced at his request. There was a problem that came over after Executive research based on the Attorney General's opinion. It was probably should be called to the attention of the Executive that he had sent over a bad bill, that it had a problem, and I invited him to provide a solution to the same. He responded with the bill at hand. Which I voted against 984 to start with, I will tell you that. I am not in favor of limits so you are not doing me any big favor if you introduce it. I will read his letter and then I will have filled my commitment. "I have received your letter of April 30, 1975 and agree that the penalty provisions of LB 984 should be amended to meet the Attorney General's opinion. Enclosed is a bill which we have drafted and which clearly has . . . has been cleared with the Attorney General. I would ask that you introduce this bill at my request and expedite its passage so the situation can be cleared up this session. Thank you for your assistance. Sincerely, J. James Exon, Governor of the State". You have the bill. I have done my job. If you want to put it on General File that's fine with me. If you don't, you won't see me cry.

SENATOR SAVAGE: The motion is to suspend the rules to place LB 608 on General File without a hearing. Record your vote. Requires 30 votes. Please vote. Have you all voted? Savage voting aye.

CLERK: Senator Savage voting aye.

SENATOR SAVAGE: Record.

CLERK: 31 ayes, 0 nays.

SENATOR SAVAGE: The bill is placed on General File.